

REMARKS

In response to the Office Action dated August 28, 2002, the Applicant has amended Claims 1, 2, 4, 7, 12 and 39. Thus, Claims 1-39 remain pending in the application. Reconsideration of the claims, as amended, is respectfully requested.

The drawings were objected to for failing to include reference characters. Applicant respectfully traverses. While reference numerals are not used in the Specification or drawings, wherever any reference letters are used these are shown in the drawings. Withdrawal of the objection is respectfully requested.

Claim 2 was rejected under 35 U.S.C. § 112 because the limitation the access systems did not have proper antecedent basis. Claim 2 has been amended to correct the antecedent basis problem and withdrawal of the rejection is respectfully requested.

Claims 1-3, 6, 9-25, 28, 30, and 38 were rejected under 35 U.S.C. § 102(e) as being anticipated by Byrne. Claim 1 has been amended to more particularly recite that the first access system comprises a Universal Mobile Telecommunications System (UMTS) network and the second access network comprises a Global System For Mobile Communication System (GSM) network. The Byrne reference describes handoffs between cellular systems and cordless telephone systems. The Byrne reference does not describe handoffs between UMTS networks and GSM networks. Therefore, the Applicant respectfully submits that Claim 1, and all claims dependent therefrom, are distinguishable from the art of record and a Notice of Allowance is respectfully requested.

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Claim 15 recites the step of evaluating if a handover from the first access network to the second access network should be effected and selecting which communication or communications are handed over in the case that the handover is necessary. The Byrne reference provides no discussion of evaluating whether or not a handover is necessary and selecting communication or communications to handover if the handover is determined to be necessary. The handover in Byrne merely occurs with no decision process. Therefore, the Applicant respectfully submits that Claim 15, and all claims dependent therefrom, are allowable over the art of record and a Notice of Allowance is respectfully requested. 3(51 - 67)

Claims 4-5 and 7-8 were rejected as being unpatentable over Byrne in view of Hamalainen et al. Applicant respectfully submits that Claims 4, 5, 7 and 8, being dependent upon Claim 1, are distinguishable for similar reasons as the Hamalainen et al. reference fails to overcome the shortcomings of Byrne.

Claims 33-34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne in view of Korpela. Applicant respectfully submits that Claims 33-34, being dependent upon previously discussed Claim 15, are allowable for similar reasons as Korpela fails to overcome the shortcomings of Byrne.

Claims 35-37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne in view of Gillig et al. With respect to Claims 35-37, Applicant respectfully submits that these claims, being dependent upon previously discussed Claim 15, are allowable for similar reasons as the Gillig reference fails to overcome the shortcomings of Byrne.

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Claim 39 includes the limitation of maintaining said at least one of the communications on hold during and after the intersystem handover. While the Gillig reference discloses placing calls on hold, nothing in Gillig describes the handover of a call on hold. Likewise, the Byrne reference fails to disclose any discussion of the handing over of a call on hold. Thus, since neither reference describes the handover of a call on hold, the combination of the references cannot teach maintaining said at least one of the communications on hold during and after the intersystem handover. Therefore, the Applicant respectfully submits that Claim 39 is allowable over the art of record and a Notice of Allowance is respectfully requested.

Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne in view of Naghshineh et al. Applicant respectfully submits that Claim 29, being dependent upon previously discussed 15, is allowable for similar reasons as the Naghshineh reference fails to overcome the shortcomings of Byrne.

Claims 26-27 and 31-32, were rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne in view of Acampora et al. Applicant respectfully submits that these claims, being dependent upon previously discussed Claim 15, are allowable for similar reasons, as the Acampora reference fails to overcome the shortcomings of Byrne.

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In view of the foregoing comments, the Applicant respectfully submits that all pending claims are allowable over the art of record and a Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: November 22, 2002

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